

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FIRST EXECUTION

CIVIL ACTION NO. 05-MC-10112 WGY

To the United States Marshal for the District of Massachusetts or either of his Deputies and to _____ the Barnstable County Deputy Sheriffs, Special Process Server:

WHEREAS Bank of America, N.A. **has recovered judgment against** John H. Tesell, a/k/a John Tesell, and Debra Tesell, jointly and severally, **on the** 10th day of January, 2005, **for the sum of \$** 314,413.28, **debt or damage, pre-judgment interest in the amount of \$** 0, **and costs of this suit in the amount of \$** 0, **as to us appears of record, whereof this First Execution remains to be done,**

WE COMMAND YOU, therefore, that of the goods and chattels or lands of the said Judgment Debtor, to cause to be paid and satisfied unto the said Judgment Creditor, at the value thereof in money, the aforesaid sums, being a total of \$ 314,413.28, in the whole, with interest thereon at the rate of 7% from said day of rendition of said judgment; and thereof also to satisfy yourself for your own fees.

HEREOF FAIL NOT and make due return of this Writ with your doings thereon into the Clerk's Office of our said court, at Boston, Massachusetts, within Twenty (20) years after the date of said judgment, or within Ten (10) days after this Writ has been satisfied or discharged.

Dated this 16th day of MARCH, 2005.



**SARAH A. THORNTON
CLERK OF COURT**

By: *[Signature]*

Deputy Clerk

By virtue of this Execution No. 05-MC-10112 WGY issued by the **United States District Court – District of Massachusetts**, the original of which is in my hands for the purpose of taking this registered real estate, I have this day levied upon, seized and taken all the right, title and interest that the within named Judgment Debtor **John H. Tesell a/k/a John Tesell and Debra Tesell** now has in and to the registered real estate, situate within the County of Barnstable and described as follows in **Certificate of Title #163028** at the Barnstable Registry District of the Land Court:

of that land situated in DENNIS

in the county of Barnstable and the Commonwealth of Massachusetts, described as follows:

LOT 1

PLAN 13181-B

There is appurtenant to said land the right to maintain water pipes to the pump house on Lot A as now located and a right over the 18 foot way located on Lot B on said plan.

And afterward on the same day, I deposited a true and attested copy of this Execution, with so much of my return endorsed thereon as relates to said levy at the Barnstable Registry District of the Land Court.

And afterward on **March 29, 2005** I gave notice to the within named debtor, in a letter, of the seizure and taking, together with a true and attested copy of this Execution.

And afterward on **March 29, 2005** in accordance with Chapter 236 Section 31 of the General Laws, I suspended further action on this levy upon written instructions of the creditor and returned the original Execution to the Law Office of **Eckert, Seamans, Cherin & Mellott**, the Attorney for the Judgment Creditor.

Service	20.00
Copies	15.00
Travel	3.20
Prepare	30.00
Demand - Notice	10.00
Postage & Handling	4.50
Registry Fee	75.00
Suspension	<u>10.00</u>
	167.70


Kerry Kennedy-Murphy
Deputy Sheriff